IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION No.2691 of 2007

Aarif Shamshuddin Shaikh & Anr ..Applicants.

Vs.

The State of Maharashtra ..Respondent.

Mr R. D. Suryawanshi i/b S.M. Sabrad,
Advocates for the applicants.

Mr Rajesh More, APP for the State.

CORAM: V.C. DAGA,J.
DATED: 29TH AUGUST, 2007.

P.C.:-

1. Heard learned counsel for the applicants and learned A.P.P.for the State.

2. Perused case papers.

3. The applicants-accused are arrested in C.R. No.92 of 2007, registered with Daund Police Station, for the offence under Sections 307, 120 (b), 143, 147, 148, 323, 395, 504 and 506 the I.P.C.

4. According to the learned counsel for the applicants, no overt acts are attributed against the applicants in the F.I.R. nor the case papers disclose any incriminating

material against them. The learned APP opposed this submission but could not take his submission to the logical end. The co-accused are already released on bail.

5. In the above view of the matter,on the basis of parity the present applicants are also entitled for bail.

6. In the result, the applicants Aarif Shamsuddin Shaikh and Javed Abdul Sattar Sayyad,be released on bail in the sum of Rs.25,000/-each with one or two sureties each in the like amount in relation to C. R. No. 92 of 2007 of Daund Police Station on following terms and conditions:-

a] the applicants-accused shall report to the concerned Police Station once in a week on every Sunday in between 3.00 to 5.00 p.m.till completion of the trial.

b] the applicants shall not pressurise prosecution witnesses and that they shall co-operate the Investigating agency, if required.

c] The applicants shall co-operate with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicants to delay the trial may be a ground for cancellation of bail.

d] Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

7. The application is accordingly disposed of.

(V.C. DAGA,J.)